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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/219,890

12/24/1998

HIROSHI MORIKAWA

0557-4557-2

4189

22850

7590

09/10/2004

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ALEXANDRIA, VA 22314

EXAMINER

BEATTY, ROBERT B

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/219,890

Applicant(s)

MORIKAWA, HIROSHI

Examiner

Robert Beatty

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11,26-29 and 36-47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 11,29,36-41 and 45-47 is/are rejected.
7) ☒ Claim(s) 26-28 and 42-44 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 11,26-29,39,40-47 are objected to because of the following informalities:

In claim 11, lines 6-7, the applicant states that the diameter of the start key (which implies a circular key) is larger than the numeral keys however applicant never stated that the numeral keys were circular or had a diameter. See also claim 36.

In claim 29, the applicant recites "the copy key, the copy server key, and the printer key" however these were not recited beforehand.

In claim 36, line 5, change "large" to --larger--

In claim 46, lines 2-3, the applicant states that certain keys are located below the "set/counter key" however a "set/counter key" was never recited beforehand.

In claims 37-39,44-45, the applicant recites a "set/counter key configured to vary initial set values and operating conditions in accordance with conditions of use" however, it is unclear how a counter key (or setting the counter key), as typically used in the art, can perform these functions. It is recommended that if applicant change "set/counter" to --setting-- than this would correspond to the function described in the specification.

Appropriate correction is required.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

The applicant in claim 11 recites a "numeral keys and an enter key" and in the specification on page 7, line 21, the applicant describes these keys with reference numeral 81. However, as seen in Fig.2, reference numeral 81 consists of 9 keys which is depicted incorrectly since 1) it is typical that numeral keys consist of numerals 0-9 and thus 10 keys are needed to be shown and 2) there is no separate "Enter" button shown.

Therefore these elements must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any

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required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 29,37-39,45-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The applicant recites in claims 29,37-39,45-47 a "copy server key" and in the specification merely mentions this key on page 7, line 9-10 however, the examiner has no understanding as to what this key actually does. A "server" is usually defined as a computer running administrative software that controls access to all or part of a network and its resources (such as disk drives and printers). A computer acting as a server makes resources available to computers acting as workstations on the network. However, it is not understood how the printer/copier can act as a server. No new matter may be entered.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11,36,40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imada in view of Hashimoto.

Imada teach an operation panel including a touchscreen display 7, circular numeral keys 5 located to the right of the touchscreen, a start key 6 located to the right of the numeral keys and having a larger diameter than the numeral keys, a clear/stop key 51 located to the right of at least one numeral key, and mode selecting keys such as timer key 55, preheat key 56 or interrupt key 57 located to the left of the touchscreen. Specifically, Imada discloses most of what is claimed except an enter key to the right of the touchscreen display.

Hashimoto teach an operation panel including a LCD display 72, numeral keys 77 located to the right of the display and an enter key 81 located to the right of the display. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate an enter key to the right of the display in Imada because it is well known to include this on operation panels in the art for the purpose of entering information or programs into the panel.

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5. Claims 26-28, 42-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kimura et al., Yamada, and Wilson et al. teach various operational display panels.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is (571) 272-2130. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

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A handwritten signature in black ink, appearing to read "Robert Beatty", with a stylized flourish extending from the end.

Robert Beatty
Primary Examiner
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September 4, 2004